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REMARKS

In the Office Action mailed 27 July 2004 all pending claims 1-12, 14, 15, and 17-19 were rejected. In this Reply, no claims are canceled, no claims are amended and no new claims are presented. Thus, claims 1-12, 14, 15, and 17-19 are pending examination on the merits. For the convenience of the Examiner, the pending claims are set forth hereinabove.

Rejections Under 35 U.S.C. §102(e) and 35 U.S.C. §103(a)

In the Office Action, claims 1-9, 12, 14 and 15 stand rejected under 35 USC §102(e) as being anticipated by a U.S. Pat. No. 6,312,378 to Bardy et al. ("Bardy") and claims 10, 11, and 17-19 stand rejected as obvious over certain art; namely, claims 10 and 19 stand rejected over Bardy in view of U.S. Pat. No. 5,186,170 to Verrichio et al. ("Verrichio"), claim 11 stands rejected over Bardy in view of U.S. Pat. No. 5,899,931 to Deschamp et al. ("Deschamp"), and claims 17 and 18 stand rejected over Bardy (alone).

On the basis of the declaration submitted herewith, the primary applied reference to Bardy stands antedated. Since Bardy forms the basis of each ground of rejection herein none of the rejections can stand and each should be properly withdrawn.

In support of the Declaration filed herewith (pursuant to 37 CFR 1.131) on behalf of the Applicants to nullify the applied prior art vis-à-vis the pending claims the Applicants proffer a five (5) page exhibit. That is, attached hereto for entry are photocopies of five (5) pages from an invention disclosure authored and signed by the inventors prior to June 1999. Certain portions of the exhibit stands redacted (e.g., the dates printed thereon).

Applicants respectfully assert that upon entry of the photocopied records that the prior art applied herein stands traversed and the pending claims should proceed to timely issuance as U.S. Letters Patent.

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CONCLUSION

Applicants respectfully suggest that all presently pending claims 1-36 of the instant application are now in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of said claims. Please charge any additional fees or credit any overpayment to deposit account number 13-2546.

The Examiner is invited to telephone the below-signed attorney to discuss this application.

Respectfully submitted,

29 Nov. 04
Date

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